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EXTRAORDINARY

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प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF TRANSPORT AND AVIATION  
(Department of Transport, Shipping and Tourism)  
(Transport Wing)

NOTIFICATION

New Delhi, the 19th July 1966

G.S.R. 115J—In exercise of the powers conferred by section 19 of the Jayanti Shipping Company (Taking Over of Management) Ordinance, 1966 (4 of 1966), the Central Government hereby makes the following rules, namely:—

1. **Short Title and Commencement.**—(1) These Rules may be called the Jayanti Shipping Company (Board of Control) Rules, 1966.

(2) These Rules shall be deemed to have come into force on the 10th June, 1966.

2. **Definitions.**—In these rules, unless the context otherwise requires,

(a) "Board" means the Board of Control appointed under sub-section (1) or section 3 of the Ordinance;

(b) "Chairman" means the Chairman of the Board;

(c) "Ordinance" means the Jayanti Shipping Company (Taking Over of Management) Ordinance, 1966.

(d) "Secretary" means the Secretary of the Board appointed under rule 8.

3. **Terms of Office**—Save as otherwise provided in these rules, every member of the Board shall hold office for a period of three years from the date of his appointment as such member, provided that an outgoing member shall, notwithstanding the expiry of the term of his office, continue in office until the appointment of his successor.

**4 Resignation by Chairman and Members.**—(1) The Chairman may resign his office by a letter in writing addressed to the Central Government and a member may resign his office by a letter in writing addressed to the Chairman:

Provided that the Chairman or the member shall continue in office until his resignation takes effect.

(2) The resignation of the Chairman or a member shall not take effect until it is accepted or until the expiry of 30 days from the date of receipt of the letter of resignation by the Central Government, or as the case may, the Chairman, whichever is earlier.

**5. Removal of Member from office.**—The Central Government may remove from office any member of the Board:—

- (a) if he absents himself from three consecutive meetings of the Board without the permission of the Chairman;
- (b) if he becomes insolvent;
- (c) if he is convicted of an offence which in the opinion of the Central Government involves moral turpitude; or
- (d) if, for any other reason, the Central Government is of opinion that it is not desirable that he should continue to be a member of the Board.

**6. Filling casual vacancy of Member.**—(1) When a casual vacancy arises in the Board due to death, resignation or removal of a member from office, or for any other reason, the Central Government may, at the request of the Secretary, make a fresh appointment to fill the vacancy as early as possible.

(2) A member appointed to fill a casual vacancy shall hold office for the unexpired portion of the term of the member in whose place he is appointed.

**7. Register of Members.**—(1) The Board shall maintain a Register of members in which the name and address of every member shall be entered.

(2) Every member of the Board shall notify any change of address to the secretary; and the Secretary shall amend the relevant entry in the Register accordingly.

**8. Secretary to the Board.**—(1) The Board shall appoint one of its members or any other person to be its Secretary.

(2) The Secretary shall work under the general control of the Chairman and of the Board. His duties shall be to assist the Chairman in the discharge of his functions and in particular—

- (a) to convene, under the directions of the Chairman, meetings of the Board;
- (b) to maintain the Minutes book;
- (c) to co-ordinate and supervise the work of the other officers and employees of the Board, if any;
- (d) to submit to the Central Government all reports, returns and other documents required by the Ordinance or the rules to be submitted to that Government;
- (e) to undertake such other duties as may from time to time be entrusted to him by the Board or the Chairman.

**9. Other officers of the Board.**—The Board may appoint such officers and other employees as it may consider necessary for the discharge of its functions;

Provided that the Board shall not create, or make appointment to, any post the maximum salary of which exceeds rupees two thousand two hundred and fifty per mensem except with the previous approval of the Central Government

**10. Travelling and daily allowance, etc., of Members.**—(1) The Chairman and the other members of the Board shall be entitled to travelling and other allowances as specified below when they are called upon to attend meetings of the Board—

- (a) an official member of the Board shall be entitled to travelling and other allowance in accordance with the Fundamental and Supplementary Rules and the expenditure will be initially debited to their respective departments but will be reimbursed by the company;
- (b) a non-official member of the Board residing at the place where the meeting is held shall be allowed the actual expenditure incurred on conveyance to the place of the meeting subject to a maximum of Rs. 10/- for each day on which he attends one or more meetings; and

(c) a non-official member not resident at the place where a meeting is held shall be allowed travelling and daily allowance in accordance with the general orders issued in this behalf by the Central Government from time to time; provided that in the case of a member of Parliament he shall be entitled to travelling allowance and daily allowance in accordance with the rules applicable to Members of Parliament from time to time.

(2) No travelling or daily allowance shall be admissible to a member under sub-rule (1) unless he certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey and the halt for which the claim is made.

(3) The Chairman shall be the Controlling Officer in respect of travelling and daily allowance for the non-official members and for the officers and employees of the Board.

**11. Delegation of powers by the Board.**—The Board may, by resolution, delegate to its Chairman, Secretary or any other officer such of its powers as it may deem fit.

**12. Powers of the Chairman.**—Without prejudice to the powers and functions of the Board, the Chairman may exercise the following powers, namely:—

(a) to carry on the functions of the Board in accordance with the instructions which the Board may issue from time to time;

(b) to incur expenditure of contingent nature necessary for the administration of the office of the Board, any item of expenditure exceeding Rs. 1000/- per annum in the case of expenditure of a recurring nature and Rs. 5000/- per annum in the case of expenditure of a non-recurring nature being, however, subject to the prior approval of the Board; and

(c) to take immediate action, without the prior approval of the Board, in respect of any matter which is within the competence of the Board if in his opinion such action is called for to protect its interests, and for such purpose to exercise all powers and do all acts and things which may be exercised or done by the Board, a written report of every such case being, however, made to the Board as soon as possible containing a statement of the action taken and the circumstances under which it was taken.

**13. General Procedure.**—The procedure to be followed by the Board in the discharge of their functions shall be as specified in the Schedule annexed.

#### SCHEDULE

(See rule 13)

##### *Procedure of the Board of Control of Jayanti Shipping Company*

1. *Procedure for conduct of business*—(i) The meetings of the Board shall be convened by the Chairman of the Board as and when necessary.

(ii) Such notice of the meeting shall be given to the members as the Chairman may consider adequate in the circumstances.

(iii) The Board shall meet at such place and time and on such date as may be appointed by the Chairman.

(iv) A list of business proposed to be transacted at a meeting of the Board shall either accompany the notice or be forwarded by the Secretary to each Member as soon as possible after sending out the notice.

(v) Any business which is not on the list shall not be considered at the meeting of the Board except with the permission of the Chairman.

(vi) The Chairman of the Board shall preside at every meeting of the Board. In the absence of the Chairman, the Members of the Board present shall choose one from among themselves to preside at the meeting.

(vii) The Chairman of the Board or the person presiding shall regulate the procedure at a meeting of the Board.

2. *Extraordinary Meetings.*—(i) Upon the requisition made in writing by not less than 2 Members of the Board the Chairman of the Board shall as soon as possible, and in any case not later than seven days of the date of requisition, convene an extraordinary meeting of the Board. The requisition shall state the objects of the meeting proposed to be called and shall be sent direct to the Chairman of the Board.

(ii) In the absence of the Chairman, the Secretary may, and at the request in writing of two members of the Board shall, convene a meeting of the Board to dispose of any urgent matter.

3. *Quorum.*—(i) The quorum for a meeting of the Board shall be one-third of its total strength from time to time (any fraction contained in that one-third being rounded off as one) or any two members of the Board (the expression 'members' to include the Chairman for this purpose), whichever is higher.

(ii) If the number of members present at any meeting of the Board is less than the required quorum, the Chairman or in his absence the Member presiding at the meeting shall adjourn the meeting and the adjourned meeting shall be held at such time, place and date as may be fixed by the Chairman of the Board and it shall thereupon be lawful to dispose of the business at such adjourned meeting whether the quorum is present or not.

4. *Minutes of meetings.*—The minutes of the proceedings of a meeting of the Board shall be drawn up by the Secretary of the Board and circulated to all the Members of the Board. The minutes as finalised after circulation, shall be recorded in a minutes book and placed for confirmation at the next meeting of the Board.

5. *Business by circulars.*—The business of the Board may also be carried out through circulars whenever it is not possible to hold formal meetings of the Board.

6. *Decision by majority of votes.*—In matters where there may be no unanimity of views, decision shall be taken by majority of votes. In the event of an equality of votes the Chairman shall have a casting vote.

7. *Non-Members attending meetings.*—The Chairman may invite any person to be present at any meeting of the Board to participate in the discussions but such persons shall not be entitled to vote.

8. *Sub-Committees.*—With a view to facilitating the task of the Board, the Board may appoint one or more sub-committees, standing or otherwise, to go into and report on any specific problem or problems before the Board.

9. *Communications to Members of the Board.*—All communications to a Member of the Board shall be sent to him at the last address furnished by him to the Secretary of the Board.

[No. 36-MD(77)/66]

NAGENDRA SINGH, Secy